

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 15-CR-40015-SMY
)	
)	
KRISTENA J. GRANT)	
)	
Defendant.)	

ORDER

YANDLE, District Judge:

Defendant Kristena Grant filed a motion to appoint counsel (Doc. 39) and a *pro se* motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) based on Amendment 782 to the United States Sentencing Guidelines (Doc. 40). Assistant Federal Public Defender Todd Schultz voluntarily entered his appeared on behalf of Defendant (Doc. 41). Mr. Schultz has now moved to withdraw claiming that Defendant is ineligible for a sentence reduction under Amendment 782 because she was sentenced after the effective date of the new sentencing guidelines (Doc. 42). Defendant was given thirty days to respond to counsel's Motion by this Court's Order to Show Cause (Doc. 43). Defendant did not respond.

A district court has the authority to modify a sentence where a defendant was sentenced to a term of imprisonment based on a guideline range that was subsequently lowered as a result of an amendment to the United States Sentencing Commission Guidelines Manual. 18 U.S.C. § 3582(c)(2); U.S. SENTENCING GUIDELINES MANUAL § 1B1.10(a)(1). Amendment 782, which became effective on November 1, 2014, modified the Drug Quantity Table in § 2D1.1 of the Guidelines Manual. It reduced by two levels the offense level assigned to drug quantities, resulting in a lower guideline sentencing range for most federal drug trafficking offenses.

Here, Defendant was sentenced after the sentencing guidelines were amended. Therefore, Defendant's sentence reflects the reduced base level offense in the amendment. No further reduction has been authorized by statute. Accordingly, Mr. Schultz is entitled to withdraw as defense counsel, and Defendant is not eligible for the requested relief. For these reasons, Mr. Schultz's Motion to Withdraw (Doc. 42) is **GRANTED**. Defendant's Motion for a Sentence Reduction (Doc. 40) is **DENIED**.

IT IS SO ORDERED.

DATED: March 17, 2016

s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge